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10/500,091

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EXAMINER

PAN, YONGJIA

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/500,091	Applicant(s) SUZUKI ET AL.	
	Examiner Yongjia Pan	Art Unit 2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>06/24/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to application 10/500,091 filed November 26, 2004.
2. Claims 1-20 are pending.

Oath/Declaration

3. The applicant's oath/declaration has been reviewed by the examiner and is found to conform to the requirements prescribed in 37 C.F.R. 1.63.

Priority

4. As required by M.P.E.P. 201.14(c), acknowledgement is made of applicant's claim for priority based on applications filed on December 27, 2001 (Japan 2001-397468).

Drawings

5. The applicant's drawings submitted are acceptable for examination purposes.

Information Disclosure Statement

6. As required by M.P.E.P. 609(C), the applicant's submission of the Information Disclosure Statement dated June 24, 2004 are acknowledged by the examiner and the cited references have been considered in the examination of the claims now pending.

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. Claims 4 and 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 4 and 11, the phrase "or the like" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "or the like"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

12. Claims 1-14 and 17-20 are rejected are under 35 U.S.C. 102(e) as being anticipated by Saito (US Patent 6,349,303 B1) henceforth referred to as Saito.

Regarding claim 1, Saito teaches a network-information-processing system comprising:

at least one information-processing apparatus for processing arbitrary information (*Figure 1 reference element 105*)(CPU 105 is for controlling the overall

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As required by M.P.E.P 609 C(2), a copy of the PTOL-1449 initialed and dated by the examiner is attached to the instant office action.

Specification

7. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

8. The abstract of the disclosure is objected to because it is not a concise statement of the patent, within the disclosed abstract there contains reference to figures.

Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 112

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

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apparatus and executing the application program of the present invention)(2 lines 63-65), said information-processing apparatus having an input operation function (Figure 1 reference elements 102 and 104)(to means of input operation functions are disclosed);

information-controlling-and-displaying means for displaying an image based on information transferred from the information-processing apparatus (Figure 1 reference elements 108 and 109)(The output unit 108 is a monitor, such as a CRT or LCD, and a printer for outputting document data and the like processed using the information processing apparatus of the present invention. The output interface 109 interfaces the output unit 108)(column 3 lines 3-7);

information-creating apparatus for storing information contents displayed on the information-controlling-and-displaying means together with their time information to create electronic information contents (Figure 2)(a flow chart for creating and storing contents is disclosed); and

communication means for connecting at least the information-processing apparatus, the information-controlling-and-displaying means, and the information-creating apparatus (Figure 1 reference element 112)(The system bus 112 interfaces the image input interface 102, the sound input interface 104, the CPU 105, the ROM 106, the RAM 107, the output interface 109, the user interface 113, and the external storage interface 111)(column 3 lines 15-18),

wherein the information-controlling-and-displaying means controls the information-creating apparatus to store control information obtained on the basis of the input operation function (Figure 1 reference element 113)(the user interface allows the

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operator of the information processing apparatus to make input operation functions) of the information-processing apparatus together with the time information (Figure 2 reference element 203)(step S203, at which the sound data is partitioned into sound blocks and soundless blocks based upon the entered sound data and then recorded in a combined AV data storage unit 41, which has been allocated in the RAM 107, as combined audio-video data (referred to as "combined AV data" below). Further, information such as position information and time information indicating the location at which the entered sound and moving-picture data was entered is input from the external device and is recorded in an area provided in the combined AV data storage unit 41 to store this position and time information)(column 3 lines 40-50).

Regarding claim 2, Saito teaches the network-information-processing system according to claim 1, wherein said information-controlling-and-displaying means includes:

a display apparatus for displaying the image based on the information transferred from said information-processing apparatus (*Figure 1 reference element 108)(the output unit is a display apparatus for displaying information from the processing apparatus);*
and

information-processing-assisting apparatus for assisting electronic information processing including control of said display apparatus based on the input operation instruction by said information-processing apparatus (*the CPU controls the overall operation of the apparatus, thus it takes in input from input interfaces and as a result controls the display apparatus as the application program executes).*

Regarding claim 3, Saito teaches the network-information-processing system according to claim 1, wherein the control information is set corresponding to the displayed information contents stored in said information-creating apparatus by using the input operation function of said information-processing apparatus (*The user interface 113 has a keyboard and a pointing device, such as a mouse, and allows the operator of the information processing apparatus to make entries*)(column 3 lines 12-14).

Regarding claim 4, Saito teaches the network-information-processing system according to claim 1, wherein the control information is set corresponding to the displayed information contents regularly or irregularly (*Figure 5*)(*the partitioned blocks of entered sound and moving pictures are shown, each block is set by the partitioning of input*).

Regarding claim 5, Saito teaches the network-information-processing system according to claim 1, wherein said control information is identification information for setting a mark to the displayed information contents (*Figure 4*)(*each block has an identification element of time and position information, which sets a mark for the block*).

Regarding claim 6, Saito teaches the network-information-processing system according to claim 3, wherein said control information is identification information for setting a mark and said information-creating apparatus stores a number of mark, time, and title relating to the identification information (*Figure 4*)(*text data, position information (mark), and time information is stored in a block*).

Regarding claim 7, Saito teaches the-network-information-processing system according to claim 1, wherein said information-creating apparatus classifies the displayed information contents into arbitrary split information contents based on said control information (*Figure 4*)(*the blocks are placed in order, the order is classified during the process of splitting the input into blocks*).

Regarding claim 8, Saito teaches the-network-information-processing system according to claim 1, wherein a reproducing order of said split information contents is set using the input operation function of the information-processing apparatus (*the order in which the blocks are laid out correspond to the reproducing order of the data, the blocks are laid out in time series order*)(*Figure 6 reference element 7005*)(*As illustrated at 7005, text data and image data at point A and text data and image data at point B are laid out in a time series (serially) to create minutes arranged in line with the flow of the conference*)(*column 5 lines 35-38*).

Regarding claim 9, Saito teaches the-network-information-processing system according to claim 1, wherein the displayed information contents are downloaded from said information-creating apparatus to said information-processing apparatus, and said information-processing apparatus reproduces the displayed information contents (*Figure 6 reference element 7005*)(*displayed is the output of the information processing apparatus processing the content downloaded from the information creating apparatus*).

Regarding claim 10, Saito teaches the-network-information-processing system according to claim 1, wherein the displayed information contents are edited using the input operation function of said information-processing apparatus (*The user interface*

113 has a keyboard and a pointing device, such as a mouse, and allows the operator of the information processing apparatus to make entries)(column 3 lines 12-14), and said information-creating apparatus creates the electronic information contents based on the displayed information contents thus edited (the entries allow fro the arrangement of documents which causes the information processing apparatus to create and store content).

Regarding claim 11, Saito teaches the-network-information-processing system according to claim 1 further comprising motion image/audio input apparatus for inputting at least image or audio, said image or audio excluding the information transferred from said information-processing apparatus (*Figure 1 reference element 101 and 103)(an image and an auto input unit are disclosed for input into the processing system).*

Regarding claim 12, Saito teaches an information-processing method comprising the steps of:

connecting at least one information-processing system for processing arbitrary information (*Figure 1 reference element 112)(The system bus 112 interfaces the image input interface 102, the sound input interface 104, the CPU 105, the ROM 106, the RAM 107, the output interface 109, the user interface 113, and the external storage interface 111)(column 3 lines 15-18), said information-processing system having an input operation function (The user interface 113 has a keyboard and a pointing device, such as a mouse, and allows the operator of the information processing apparatus to make entries)(column 3 lines 12-14), an information-controlling-and-displaying system for displaying an image based on information transferred from the information-processing*

system (Figure 1 reference elements 108 and 109)(The output unit 108 is a monitor, such as a CRT or LCD, and a printer for outputting document data and the like processed using the information processing apparatus of the present invention. The output interface 109 interfaces the output unit 108)(column 3 lines 3-7), and an information-creating system for storing information contents displayed on the information-controlling-and-displaying system together with their time information to create electronic information contents to each other through communication means (Figure 2)(a flow chart for creating and storing contents is disclosed, the flow chart is processed by the CPU though communication of other devices in the system thus creating an electronic document);

setting control information corresponding to the information-creating system by using the input operation function of said information-processing system (the user interface sets the control information via entries); and

storing the set control information with the time information in the information-creating system (Figure 4)(each block has time information associated with it).

Regarding claim 13, Saito teaches the information-processing method according to claim 12, wherein if said displayed information contents are streaming data and said control information is mark information, the mark information is set to the streaming data by specifying a marker previously in storing (information such as position information and time information indicating the location at which the entered sound and moving-picture data was entered is input from the external device and is recorded in an area provided in the combined AV data storage unit 41 to store this

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position and time information)(column 3 lines 45-50) and the streaming data is reproduced by drifting into a marker position previously specified on the basis of the mark information in reproducing (Figure 12)(each block contains moving picture data, of which selected allows the reproducing of the data).

Regarding claim 14, Saito teaches the information-processing method according to claim 12, wherein reproducing order is previously set for every unit of marker if reproducing the streaming data using the marker *(Figure 11 reference element A106 and Figure 12)(the marker is the position and time information stored, each order is set in Figure 11 step S106).*

Regarding claim 17, Saito teaches the information-processing method according to claim 14, wherein by setting the reproducing order of the streaming data at random, the streaming data is reproduced at random by a marker unit *(if the assignment of the values of position and time information is random, the block order will be random thus rendering a reproduced stream based upon block order random).*

Regarding claim 18, Saito teaches the information-processing method according to claim 14, wherein said marker is manually set *(Then, at step S706, moving-picture data that corresponds to one sound block is partitioned at prescribed time intervals T and n items of still-picture data are generated from the moving-picture data that corresponds to the time partitioned)(column 8 lines 56-60).*

Regarding claim 19, Saito teaches the information-processing method according to claim 14, wherein said marker is set every set period of time *(the markers are set at every prescribed time intervals).*

Regarding claim 20, Saito teaches the information-processing method according to claim 12, wherein said information-creating system classifies the displayed information contents into arbitrary split information contents based on said control information (*Figure 15*)(*the blocks are placed in order, the order is classified during the process of splitting the input into blocks*).

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito (US Patent 6,349,303 B1) and further in view of Suzuki (US Patent 6,470,356 B1) henceforth referred to as Suzuki.

15. **Regarding claims 15 and 16**, Saito teaches an information-processing method as applied in the claims above. Saito differs from the claims in that Saito fails to teach the replacement of reproduction order and the deletion of unnecessary parts. However, the method of replacement of reproduction order and the deletion of unnecessary parts is taught by Suzuki (*Figure 6*)(*a plurality of marks are disclosed, the already mark allow for the skipping of parts thus allowing for the replacement and deletion of parts form the reproduction of a stream*). Since both Saito and Suzuki both teach a system and method for multimedia information processing, it would have been obvious to one of

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skilled in the art to modify Saito to include Suzuki marking types to achieve the predictable result of the replacement of reproduction order and the deletion of unnecessary parts in a information processing method.

Conclusion

16. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. The prior art discloses methods and systems of information processing and presentation. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yongjia Pan whose telephone number is 571-270-1177. The examiner can normally be reached on Monday through Friday 9:00 AM - 6:00 (EST) PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on 571-272-4048. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Yongjia Pan
October 2, 2007


TADESSE HAILU
PRIMARY EXAMINER